IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2215 of 2005

Between:

Pinnapuram Seshanna, s/o P.Naganna,
Gani Village, Gadivemula Mandal, Kurnool District.

... PETITIONER

AND

1 The District Collector, Kurnool District.
2 The Revenue Divisional Officer, Nandyal Revenue Division,
Nandyal, Kurnool District.
3 The Mandal Revenue Officer, Gadivemula Mandal, Kurnool District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction, preferably in the nature of writ of mandamus declaring the action of the respondents in not granting "D" form patta to the petitioner for the land in possession and enjoyment of the petitioner for the last 30 years wherein he has raised Mango and Regu crops to an extent of Ac.4.87 cents of dry land situated in Sy.No.295 of Gani village, Gadivemula Mandal, Kurnool District even though petitioner is fully eligible for granting "D" form patta as he being a land less poor belongs to weaker sections and further action of the 3rd respondent in interfering with the possession and enjoyment of the petitioner's said land by yielding to the political pressures, as illegal, arbitrary, and violation of Article 14, 19, 21 and 300A of Constitution of India and consequently direct the respondents to grant "D" form patta to the petitioner for the above said land with a further direction not to interfere with the possession and enjoyment of the petitioner with the said land.

Counsel for the Petitioner:MR.K.RATHANGA PANI REDDY

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following:

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The petitioner states that he has been in possession and enjoyment of Government patta land, to an extent of Ac.4-87 cents, situated in Sy.No.295 of Gani Village, Dadivemula Mandal, Kurnool District, for the past 30 years. He further states that he has developed the said land investing huge amounts and as on today there are standing crops.

The petitioner also states that he made series of representations requesting the respondents to assign the land in question in his favour but there is no response from them and in the meanwhile, at the instance of the persons belonging to the opposite political party, there is immediate threat of his dispossession.

As can be seen from the material on record, the petitioner has placed before this Court representation dated 01-01-2005 in which he has reiterated that standing crops exist in the land in question.

Having regard to the facts and circumstances of the case, and having heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents, without expressing any opinion as to the entitlement of the petitioner for the assignment as claimed by him, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner dated 01-01-2005 and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Till such time, *status quo* obtaining as on today as to the nature and possession of the land in question, shall be maintained.

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G. ROHINI, J

Dated: 10-02-2005

LSK

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER.

To

1 The District Collector, Kurnool District.
2 The Revenue Divisional Officer, Nandyal Revenue Division, Nandyal, Kurnool District.
3 The Mandal Revenue Officer, Gadivemula Mandal, Kurnool District.

4 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

5 Two C.D. copies.